

SEC. 3. The County Commissioners shall, at the earliest practicable period, cause the necessary county buildings for the use of the county to be erected in such a manner, according to such plans and on such terms and place as they shall deem advisable for the interest of said county. Buildings to be erected

SEC. 4. This Act shall take effect from and after its passage.

GEORGE BRADLEY,

Speaker *pro tem.* of the House of Representatives.

RICHARD G. MURPHY,

President *pro tem.* of the Senate.

APPROVED—March twentieth, one thousand eight hundred and fifty-eight.

CHAS. L. CHASE, Acting Governor.

SECRETARY'S OFFICE, Minnesota, }

March 20, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

CHAS. L. CHASE, Secretary.

## CHAPTER LXI.

### *An Act to amend an Act entitled an Act to incorporate the St. Paul Water Company.*

SECTION 1. Authorizes Company to take right of way through property for purposes of incorporation.

2. Procedure in case of disagreement as to value of lands taken.

3. Appeal may be taken to District Court.

4. Specified time for work to be put under contract and water furnished.

5. Acts inconsistent herewith repealed.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That the President and Directors of said Company may legally enter upon any lands in the County of Ramsey, and locate all and singular the Reservoirs, Buildings, Water Wheels, Drains, Ditches, Pipes, Conduits, Aqueducts, Engines, Force Pumps and all necessary works and appendages thereto, doing no unnecessary damage to private or other property; and it shall be necessary for said Company to have a map made of all lands which they require for the purposes of the Company, and file the same in the office of Right to enter upon lands subject to compensation

the Clerk of the Court in said County ; and then it shall be lawful for the said Company, by its officers, agents, engineers, superintendents, contractors, workmen and other persons employed by them, to enter upon, take possession of, have, hold, occupy and enjoy the lands designated in said map, for the purpose of completing the work herein contemplated, and keeping the same in repair, subject to such compensation to the owner or owners as may be agreed upon.

**Disagreement  
as to value of  
lands taken—  
procedure**

**Sec. 2.** If the said Company, its officers or agents cannot agree with the owner or owners of such required lands for the use or purchase thereof, or if, by reason of the legal incapacity or absence of such owner or owners, no agreements can be made, the said Company shall give notice to the persons interested, if known, and in the State, or if unknown, or out of the State, by publication in two of the daily papers published in St. Paul, that they intend to make application to one of the Judges of the Supreme Court in said State, on a day and at a place to be named in said notice, not less than twenty days from the service or publication of such notice, for the appointment of three Commissioners to assess the damages which such owner or owners shall sustain in consequence of the occupation and erections aforesaid ; and on the day and at the place specified in said notice, the said Judge shall make said appointment under his hand and seal, and it shall be the duty of said Commissioners to take [and subscribe] an oath or affirmation before some person authorized to administer the same, that they will faithfully and fully examine the matter in question, and make a true report according to the best of their skill and understanding. The said Commissioners shall then fix upon a place and day of meeting, giving the parties interested notice (as hereinbefore directed) not less than ten days before, of the time and place of their meeting ; and on the day so appointed, they shall proceed to view the said lands and make a just and equitable estimate of the value of the same, and estimate the damages which will ensue from such erections and conversions, and the benefits which will accrue therefrom to the land owners, and they shall report in writing to the parties interested, the amount which the Company must pay each owner, which report the Company shall file in the office of the Clerk of Ramsey County ; and a copy thereof, certified by said Clerk, shall be considered good and sufficient evidence of the right of said Company to have, hold, use, occupy and enjoy the land so entered upon ; and it shall be the duty of said Company to pay the said owner or owners the amount thus determined, or in case the owner or owners refuse to receive the same, or live out of the Territory, or are incapacitated by law to receive the same, then the said sums shall be paid and delivered to the Clerk of said County, to be by him retained for such owner or owners, and in making payments in

either of the ways above stated, the title of the premises mentioned in said award and so paid for, shall be vested in said Company.

SEC. 3. If the said award be not satisfactory, the said owner or owners may appeal to the District Court of Ramsey County at its following term, whereupon the Court shall proceed to hear and determine the matter, and if the Jury shall find a greater sum than the Commissioners had awarded in favor of said owner or owners, then judgment thereon, with costs, shall be entered against said Company. But if the Jury shall find the same or less amount than the said Commissioners had awarded, then the said owner or owners shall be compelled to accept the amount found by the Jury in full satisfaction, and shall pay all the legal costs in the suit before said Court.

Appeals to the district court

SEC. 4. That the said work shall be put under contract within one year, and a supply of water furnished to the citizens of St. Paul within three years from the passage of this Act.

Commencement of work and completion

SEC. 5. All acts or parts of acts inconsistent with the provisions of this Act are hereby repealed.

Repeal of acts inconsistent

SEC. 6. This Act shall take effect and be in force from and after its passage.

GEORGE BRADLEY,  
Speaker of the House of Representatives.  
RICHARD G. MURPHY,  
President *pro tem.* of the Senate.

APPROVED—March twentieth, one thousand eight hundred and fifty-eight.

CHAS. L. CHASE, Acting Governor.  
SECRETARY'S OFFICE, Minnesota, }  
March 20, 1858.

I hereby certify the foregoing to be a true copy of the original on file in this office.

CHAS. L. CHASE Secretary.

CHAPTER LXII.

*An Act to define and establish the County Lines of Stearns County.*

- SECTION 1. County lines of Stearns County defined.  
2. Southern boundary of the county.  
3. Repeal of acts inconsistent.  
4. Act takes effect on passage.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That so much land as lies within the following